IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 11TH MAY 2007 / 21ST VAISAKHA 1929

Bail Appl..No. 2722 of 2007()

CRIME NO.267/07 OF THODUPUZHA POLICE STATION

PETITIONER/ACCUSED NO. 1 TO 3

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1. RAHIM, AGED 36 YEARS, S/O.KARIM,
KAPRATIL HOUSE, VENGALLOR KARA
KUMARAMANGALAM, THODUPUZHA.

2. SUDHEER, AGED 28 YEARS, KONTHALAM,
KUNJAPARAMBIL HOUSE, VENGALLOR KARA
KUMARAMANGALAM, THODUPUZHA.

3. SHAJI, AGED 36 YEARS, S/O.HANEEFA,
EDATHIPARAMBIL HOUSE, VENGALLOR KARA
KUMARAMANGALAM, THODUPUZHA.

BY ADV. SRI.RENJITH B.MARAR
SRI.PRABHU VIJAYAKUMAR

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
THODUPUZHA POLICE STATION, THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K.C.SANTHOSH KUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

B.A.NO.2722 OF 2007

Dated 11th May 2007

O R D E R

This petition is filed under Section 438 of Criminal Procedure Code by three accused in crime No.267/07 of Thodupuzha police Station. Offences alleged against petitioners are under Sections 341, 294(b), 324 and 308 read with Section 34 of Indian Penal Code. Argument of learned counsel appearing for petitioners was that Section 308 was inserted later and in such circumstances, anticipatory bail may be granted. On hearing the learned counsel appearing for petitioners, I do not find in the interest of justice to grant anticipatory bail. Petitioners are directed to surrender before the learned Magistrate and seek regular bail. If the petitioners file application for bail on the date of surrender, learned Magistrate has to pass appropriate order in accordance with law on the same day.

Petition is disposed of accordingly.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.